

2019 -- S 1026

LC002866

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF  
ADMINISTRATION

Introduced By: Senator Mark P. McKenney

Date Introduced: June 26, 2019

Referred To: Placed on Senate Calendar

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-3-10 of the General Laws in Chapter 39-3 entitled "Regulatory  
2 Powers of Administration" is hereby amended to read as follows:

3 **39-3-10. Filing and availability of rate schedules.**

4 (a) Every public utility shall file with the public utilities administrator within a time to be  
5 fixed by the administrator, schedules which shall be open to public inspection, showing all rates,  
6 tolls, and charges which it has established and which are in force at the time for any service  
7 performed by it within the state, or for any service in connection therewith or performed by any  
8 public utility controlled or operated by it. A copy of so much of the schedules as the administrator  
9 shall deem necessary for the use of the public shall be printed in plain type, or typewritten, and  
10 kept on file in every station or office of the public utility where payments are made by the  
11 consumers or users, open to the public in such form and place as to be readily accessible and  
12 conveniently inspected, and as the administrator may order. The administrator may determine and  
13 prescribe the form in which the schedules, required by this section to be kept open to the public  
14 inspection, shall be prepared and arranged, provided, that with respect to public utilities subject to  
15 the federal Interstate Commerce Act, 49 U.S.C. § 501 et seq., so-called, the form of the schedules  
16 shall be that as from time to time prescribed by the interstate commerce commission.

17 (b) Notwithstanding the foregoing paragraph, subsection (a) herein, a public utility may  
18 post on its website the rates, tolls and charges of any retail telecommunications service performed

1 by it within the state ~~for any business customers~~. The foregoing paragraph, subsection (a) herein,  
2 shall not apply to any service so posted, and such public utility shall not be required to file with  
3 the public utilities administrator or publish any schedule or tariff for such service. The public  
4 utility shall electronically notify the commission and the public utilities administrator on the same  
5 business day of posting any change in rates and terms or conditions for a retail service posted  
6 under this section and not subject to subsection (a) of this section unless the division exempts a  
7 public utility from such notice obligation. Upon written notice to the public utilities administrator,  
8 the public utility may withdraw any schedule or tariff previously filed with the administrator for  
9 any service so posted.

10 (c) Nothing in subsection (b) herein or in subdivision 39-2-5(12) shall derogate from the  
11 statutory authority of the commission or of the division, including, but not limited to, the  
12 authority to protect ratepayers from unreasonable rates. Nor shall anything in subsection (b)  
13 herein or in subdivision 39-2-5(12) derogate from the common law or statutory authority of the  
14 attorney general, including, but not limited to, the authority to enforce consumer protection or  
15 unfair or deceptive trade practice statutes and regulations.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would provide that public utilities which post any rate or condition change for
- 2 retail service shall send electronic notice the same day to the PUC and administrator.
- 3           This act would take effect upon passage.

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